



# Austin City Council MINUTES

For MARCH 8, 1984 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## City Council

Ron Mullen  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

### Council Members

Mark Rose  
Roger Duncan  
Sally Shipman  
Mark E. Spaeth  
Charles E. Urdy

Jorge Carrasco  
Acting City Manager

Elden Aldridge  
City Clerk

## Memorandum To:

Mayor Mullen called to order the meeting of the Council scheduled for 1:00 p.m., noting the presence of all Councilmembers.

### MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, approved the minutes for the regular meeting of February 9, 1984. (6-0 Vote, Councilmember Urdy was out of the room.)

### MONEY FOR TROLLEY PROGRAM

Mr. Lee Cooke, Director, Austin Chamber of Commerce, presented Council with a check for \$3,000 for the trolley program in downtown Austin and presented the Chamber of Commerce Resolution supporting Council's action on STNP.

### STNP DISCUSSED

Mr. Lawrence Reichard appeared before Council to discuss the South Texas Nuclear Project.

### APPEAL DISCUSSED

Ms. Marian Swanzy discussed an appeal of a Special Permit for Waterway Development for proposed apartments at 1200 W. Stassney Lane. She is president of the Salem Walk Neighborhood Association. She said she is not seeking any action by Council at this time but wants to make them aware of a situation happening to her and her neighborhood. Ms. Swanzy said there is a large drainage ditch meandering through

## APPEAL - (Continued)

her neighborhood and in the past have had serious problems with flooding and erosion. "A Houston developer is seeking permits to build large apartments on acreage next to our homes and involving the drainage ditch. The developer and the City agreed to a storm drain type system which would protect us from increased erosion caused by the apartment project. Because of cost the storm drain was not going to be installed at the same time as the building of apartments. The City approved the waterway development permit. I appealed under City Ordinance 740307-I Section 29-3.5, specifically, item e. I asked only that the storm drain pipe be installed with the apartment. This week I received this letter from the developer's legal counsel. I interpret this letter as a threat and feel I am being unnecessarily harrassed for exercising a right given to any aggrieved citizen by the City. My neighbors are genuinely fearful for continued loss of property due to erosion that would be compounded by this development. We do not feel this is a frivolous appeal as stated in their letter, merely for delay. We did not appeal their request for a special permit. It would be reassuring to know that some branch of the City offices and staff would be in support of a citizen who is following the legal procedures set up by the City and who is acting solely in the interest of protecting their property."

Councilmember Shipman said this is very distressing and asked the City Manager and the Legal Department to thoroughly assess this and advise.

CHANGE IN TREE ORDINANCE  
DISCUSSED

Mr. Theodore A. (Ted) Miller, appeared before Council to discuss a need for change in the Tree Ordinance and impact to Austin City limits as a result of the recently enacted Sign Ordinance.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Zoning Ordinance Amendments

Amended the following Zoning Ordinances to correct errors related to the legal descriptions and use designations:

- a. Ordinance No.790412-F - No. C14-79-036
- b. Ordinance No.790531-G - No. C14-79-075
- c. Ordinance No.810528-E - No. C14-79-149
- d. Ordinance No.830908-E - No. C14r-83-136
- e. Ordinance No.840105-R - No. C14-83-223
- f. Ordinance No.840105-V - No. C14h-83-025

Flora-Rama

Approved limiting free access to Zilker Municipal Gardens for two days and admission by donation of \$1 for entrance to the 27th Annual Flora-Rama to be held Saturday and Sunday, May 5 and 6, 1984.

Zoning Ordinances

Approved amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to cover the following changes:

WILLIAM F. MUNDAY By Kenny Dryden C14-79-143	1000-1400 Block William Cannon Drive	From Interim "A" 1st H&A to "O" 1st H&A
SPARKS-LEDESMA HOUSE C14h-83-027	1306 E. 7th Street	From "O" 1st H&A to "O-H" 1st H&A

Items Postponed

During the consent motion, Council postponed until March 29, 1984 the second and third reading of ordinance annexing 9.5 acres of land out of the Patterson Moore Survey No. 70 in Travis County, Texas, Allenwood Subdivision.

They also postponed until March 15, 1984, consideration of waiving balance of 90 day review period under Ordinance No. 811204-B for proposed addition to San Jacinto Tower.

## CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted the following resolutions in one consent motion:  
(7-0 Vote)

Release of Easements

Authorized release of the following easements:

- a. 2.5' of a 7.5' Public Utility Easement on Lot 9, Block H Scenic Brook West, Section One. (Requested by Nolen and Associates.
- b. An Electric Easement recorded in Volume 2368, Page 185 of the Travis County Deed Records and located on Lot 1, North Central Estates (Proposed). (Requested by the North Central National Bank)

## RELEASE OF EASEMENTS - (Continued)

- c. The 5' Public Utility Easements along the rear of Lots 54 and 55, Block A, Rivercrest Addition, Section 2, 3510 Rivercrest Drive. (Requested by Mrs. Joan Ann Turner)
- d. An Electric and Telephone Easement recorded in Volume 2313, Page 202 of the Travis County Deed Records and located on Lot 1, Cenisa Addition, Manchaca Road at Lightsey Road. (Requested by the Jim Lindsey Company)
- e. The 5' wide Electric and Telephone Easement recorded in Volume 5371, Page 665 of the Travis County Deed Records and located on Lot 4, Block 6, Fruth Addition, 3013 Cedar Street. (Requested by Mr. Frank Harren)
- f. The North 10' of a 50' wide Drainage Easement on Lot 3, Block A, Westlake Crossroads Subdivision, 1400 Camp Craft Road. (Requested by Murfee Engineering Company, Inc.)

Lease Agreement

Approved Lease Agreement with Mary Lloyd dba Economy Engraving Company for 401 2nd Street.

Maintenance Agreement

Approved a maintenance agreement with Nash/Phillips-Copus to take over maintenance of detention/filtration facilities in Sierra Vista I and II.

Change Orders

Approved the following change orders:

- a. In the amount of \$185,722.00 to Austin-Nelson Company, Inc. for landscaping at the 15th Street frontage, including the new main entrance and other miscellaneous smaller areas at Brackenridge Hospital. CAPITAL IMPROVEMENTS PROGRAM No. 80/84-08 (6.719% increase of the original contract)
- b. In the amount of \$63,949.58 to SEVEN K CONSTRUCTION COMPANY for Onion Creek Wastewater Interceptor Improvements - Section II. CAPITAL IMPROVEMENTS PROGRAM No. 73/23-11 (0.72% increase of the original contract)

Contracts Approved

Approved the following contracts:

- |                                                                                       |                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>AUSTIN ROAD COMPANY<br/>428 East Anderson Lane<br/>Austin, Texas</p>               | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Duval Road - Phase I, Paving and<br/>and Drainage Improvements, Public<br/>Works Department - \$469,029.85<br/>C.I.P. No. 79/62-03</p>                                       |
| <p>K &amp; F CONTRACTORS, INC.<br/>118 East 6th Street<br/>Belton, Texas</p>          | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>South Austin Health Center<br/>Addition, Public Works Department<br/>\$336,700.00 C.I.P. No. 83/91-01</p>                                                                    |
| <p>JACK A. MILLER, INC.<br/>12215 Roxie Drive<br/>Austin, Texas</p>                   | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Installation of sitework,<br/>foundations, and conduit system<br/>for Barton Substation Addition,<br/>Electric Utility Department -<br/>\$40,640.00 C.I.P. No. 79/16-01,</p> |
| <p>POWER ENTERPRISES, INC.<br/>2407 Engineers Road<br/>Belle Chase, Louisiana</p>     | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Galvanized Steel Tubular Poles<br/>for Circuit 944, Electric Utility<br/>Department - \$458,200.00 C.I.P.<br/>No. 77/13-02</p>                                               |
| <p>FALCON STEEL COMPANY<br/>East Rand Road<br/>Fort Worth, Texas</p>                  | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Galvanized Steel Lattice<br/>Transmission Structures, Electric<br/>Utility Department - \$79,259.00<br/>C.I.P. No 77/13-02</p>                                               |
| <p>COMPUTER CRAFT OF AUSTIN<br/>4211 South Lamar Boulevard<br/>Austin, Texas</p>      | <p>- Purchase of Microcomputer and<br/>Printer, Finance Department -<br/>\$10,116.76</p>                                                                                                                             |
| <p>AUTOMATED OFFICE SYSTEMS<br/>1003 West 6th Street<br/>Austin, Texas</p>            | <p>- Six (6) Word Processors and Three<br/>(3) Printers, Management and<br/>Budget - \$53,124.82</p>                                                                                                                 |
| <p>COMPUTER CRAFT OF AUSTIN<br/>4211 South Lamar Boulevard<br/>Austin, Texas</p>      | <p>- Purchase of Microcomputer and<br/>Printer, Energy Management<br/>Utility Department - \$18,332.66</p>                                                                                                           |
| <p>CENTRAL TEXAS EQUIPMENT COMPANY<br/>127 East Riverside Drive<br/>Austin, Texas</p> | <p>- Pneumatic Paving Breakers,<br/>Water and Wastewater Department<br/>Items 1 &amp; 2 - \$5,551.20</p>                                                                                                             |

## CONTRACTS - (Continued)

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|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>NIECE EQUIPMENT AND SUPPLY, INC.<br/>10629 North IH-35<br/>Austin, Texas</p>    | <p>- Portable Rotary Gasoline<br/>Powered Saws and Accessories,<br/>Water and Wastewater Department<br/>Items 1-3 - \$7,135.00</p>                                           |
| <p>LIBRARY BINDING COMPANY<br/>2900 Franklin Avenue<br/>Waco, Texas</p>            | <p>- Hardbinding Paperbacked Books,<br/>Austin Public Libraries<br/>Twelve (12) Month Supply Agreement<br/>Item 1 - \$32,200.00</p>                                          |
| <p>HENDRIX GMC TRUCKS, INC.<br/>4400 South IH-35<br/>Austin, Texas</p>             | <p>- Light Duty Trucks, Vehicle and<br/>Equipment Services Department<br/>Items LT-1.1, LT-2.1 &amp; LT-19.1<br/>Total \$123,909.26</p>                                      |
| <p>RIO DODGE, INC.<br/>7309 North IH-35<br/>Austin, Texas</p>                      | <p>- Light Duty Trucks, Vehicle and<br/>Equipment Services Department<br/>Items LT-7.1 thru LT8.5<br/>Total \$333,178.00</p>                                                 |
| <p>LEIF JOHNSON FORD TRUCK CITY<br/>502 East Ben White Blvd.<br/>Austin, Texas</p> | <p>- Light Duty Trucks, Vehicle and<br/>Equipment Service Department<br/>Items LT-9.1, LT-13.1 thru LT-14.1<br/>Total \$135,071.00</p>                                       |
| <p>LEIF JOHNSON FORD, INC.<br/>501 Koenig Lane<br/>Austin, Texas</p>               | <p>- Light Duty Trucks, Vehicle and<br/>Equipment Service Department<br/>Items LT-3.1 thru LT-5.1, LT-12.1,<br/>thru LT-12.3, LT-15.1 and LT-16.1<br/>Total \$196,971.00</p> |
| <p>COVERT BUICK-ISUZU, INC.<br/>501 West 5th Street<br/>Austin, Texas</p>          | <p>- Light Duty Trucks, Vehicle and<br/>Equipment Service Department<br/>Items LT-6.1 thru LT-6.7<br/>Total \$154,347.00</p>                                                 |
| <p>R. P. KINCHELOE<br/>806 Capital Court<br/>Austin, Texas</p>                     | <p>- X-Ray Chemicals for Brackenridge<br/>Hospital<br/>Items 1-6 - \$23,875.28</p>                                                                                           |
| <p>MERRY X-RAY<br/>760 Isom Road<br/>San Antonio, Texas</p>                        | <p>- X-Ray Film for Brackenridge<br/>Hospital<br/>Items 1-31 - \$476,411.48</p>                                                                                              |
| <p>PURE MILK COMPANY<br/>1819 Rutland Drive<br/>Austin, Texas</p>                  | <p>- Milk and Dairy Products for<br/>Brackenridge Hospital<br/>Items 1-10 - \$30,572.70</p>                                                                                  |
| <p>BARAKAT ASSOCIATES<br/>927 Creston Road<br/>Berkeley, California</p>            | <p>- Consultant for the Development<br/>of Experimental Innovative<br/>Electric Rates, Electric Utility<br/>Department<br/>Not to Exceed \$12,235.20</p>                     |

Disposal of Surplus  
Vehicles

Approved disposal of surplus vehicles and vehicular communications equipment by auction method on April 7, 1984.

CDBG Funds

Approved CDBG funds for Standard Rehabilitation Loans in the following amounts and authorize staff to enter into appropriate contracts:

- a. Mastercraft Construction - \$19,900
- b. Mastercraft Construction - \$15,800
- c. Chapa Construction (MBE) - \$18,300
- d. Chapa Construction (MBE) - \$18,400
- e. Chapa Construction (MBE) - \$18,600
- f. Imperial Construction - \$15,000
- g. Mastercraft Construction - \$14,300
- h. Imperial Construction - \$15,117
- i. K. M. Construction - \$19,600
- j. Fulford Construction - \$17,350
- k. Texas Western - \$12,917
- l. Fulford Construction - \$16,550
- m. Imperial Construction - \$17,375
- n. A.R.I.C. - \$18,785
- o. Imperial Construction - \$19,850.
- p. Texas Western - \$11,850
- q. A.R.I.C. - \$14,255
- r. Chapa Construction (MBE) - \$17,800
- s. Texas Western - \$11,400
- t. Texas Western\* - \$11,500
- ~~t. Meadows Construction\* - \$11,500~~
- u. Texas Western - \$5,500
- v. Texas Western - \$4,350
- w. Texas Western - \$2,900
- x. Texas Western - \$13,600

\* Equal bids, tie to be broken by City Council.

Public Hearing Set

Set a public hearing on the following:

- a. Dedication of Permanent Sanitary Sewer and Drainage Easement through the northern portion of Mabel Davis Park for April 12, 1984 at 2:00 P.M.

Fill Material for Lake Austin Shoreline

Approved placing of not more than 25 cubic yards of fill material along the shoreline of Lake Austin at 1711 Channel Road.

Grant Application

Approved supporting the grant application for the on-going operation of the Greater Austin Area Organized Crime Control Unit for the program period October 1, 1984 through September 30, 1985 from the State of Texas, Governor's Office, Criminal Justice Division.

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Approved supporting the grant application for the continuation of the Neighborhood Watch Cadet Patrol for the program period September 1, 1984 through August 31, 1985 from the State of Texas, Governor's Office, Criminal Justice Division.

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Approved supporting the Victim Service, Crisis Intervention and Prosecution, for Abused Children and Battered Women, Grant application to the Governor's Office, Criminal Justice Division.

## MUNICIPAL LANDFILLS

Councilmember Duncan introduced an item to Council to discuss a resolution relating to Senate Bill 757, Amendments to Resource Conservation and Recovery Act, and municipal landfills. The City Manager instructed the staff to get information on the Bill.

## MOTORBOAT ON TOWN LAKE

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, approved the Lower Colorado River Authority request for permission to use a gasoline powered motorboat on Town Lake one day per month for the year 1984, in order to conduct a Water Quality Monitoring Program on the Colorado River. (7-0 Vote)

## CHRISTMAS TREE SALES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, approved the request of Mr. E. Wally Kinney, representing the Austin Optimist Club, for permission for the use of City property at 2800 North Lamar for the Optimist Club's Annual Christmas Tree Sales. (7-0 Vote)

## REQUEST WITHDRAWN

Mr. Roy T. Walker withdrew his request for Council to set a public hearing regarding the Uniform Act Regulating Traffic on Highways.

## EXEMPTION TO ORDINANCE

Ms. Jane Lilly appeared before Council to request exemption to Ordinance No. 840209-K requiring site plan approval.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Spaeth's second, granted the exemption and adopted the following procedural review as recommended by staff. (7-0 Vote)

1. No item be considered unless permits had been issued for water and/or wastewater taps; demolition or removal; or special permits submitted prior to the adoption of the ordinance, all issues reflecting commitment by the property owner and the City.
2. Requests be submitted for the agenda at least eight days prior to City Council consideration to assure time for staff review and recommendation.

## CURFEW LIFTED TEMPORARILY

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, approved the request of Mr. Bill Wadsworth Production, requesting that Council extend curfew in Bailey Park for the purpose of filming educational motion picture on March 12, 1984 (March 13 & 18, 1984 backup dates - Morris Field on March 14, 1984 alternate location) by lifting the curfew all week and limit to two nights of filming. (7-0 Vote)

## REPORT ON STRIP ANNEXATION

The City Manager, Jorge Carrasco, introduced a report on Strip Annexation of Highway 620, FM 2222, FM 2244 and Highway 71. He asked Mr. Lillie, Director of Planning, to present the report. "The area included in this report is approximately 40 linear miles of roadway west of the City. They are currently in place and the annexation recommended to you includes not only the roadway and the right-of-way but a corridor 1000 feet wide. The Municipal Annexation act requires corridors to be minimum of 500 feet wide. A 1000' corridor would be 500' from center line on each side. The limited purpose annexation would allow the City to extend planning and zoning controls and health and sanitation codes and ordinances. The zoning control would include special permits, re-zoning from Interim "AA" which would automatically be applied to property, any re-zoning and if the Council chose to extend the PRA requirements for site plans, signs and driveways and all those issues you see on site plans as part of that zoning process. It would allow the City to extend its building standards along the corridors and any health and sanitation codes and ordinances the City has would be applied. Limited purpose annexation would not only provide that ability of the City to review and control land uses but in that extension the City would not be obligated to provide any other services. Property owners are not taxed through this limited purpose annexation proposal and they can vote in Council elections, Council recall elections, Council Charter elections, but they cannot vote in bond elections. The limited purpose annexation is a provision of the City Charter and it does have some language in State law that allows the City to use that Charter provision in its annexation program. Annexation does include some improvements to the roadways that are planned by Travis County. Limited purpose annexation probably would send

## ANNEXATION - (Continued)

a signal that those improvements may be all borne by the City and not the County but that can be negotiated with the County, it seems to me. Departments affected will be required to review zoning and special permit applications and the fiscal note for those services is \$200,000.00 per year. The Council's policy is that fees are in place that would pick up those costs but that amount of money, at least for the first year, would have to be considered by Council. ....If we included the total program the timing would have completion of field notes in a couple of weeks, preparation of the legal ad in the paper by the end of the month, public hearings before the City Council on the 11th and 12th of April and consideration of ordinances by May 3rd. If you choose to proceed with a smaller area we can accelerate that by a couple of weeks and complete it in April. The reason for mentioning these dates is that the Council does have planned or considering a bond election in June and the Justice Department does like to have at least 60 days to review annexation proposals prior to elections. The smaller area would allow us to complete that work outside of the 60 day period. The larger program would encroach into the 60 day period and we may run into a problem."

Councilmember Rose recommended they do as staff recommends and break it up into two phases. Do the smaller tracts now in conjunction with a June election.

## PUBLIC HEARING - LAKE AUSTIN WATERSHED

Mayor Mullen opened the public hearing set for 1:30 p.m. to consider an ordinance extending the Lake Austin Subdivision Ordinance Regulations to the Lake Travis Watershed which is in Austin Extra-Territorial Jurisdiction and extending the Lake Austin Watershed Site Development ordinance regulations to the Lake Travis Watershed.

Mr. Lillie, Director of Planning and Donna Kristaponis, Assistant Director of Planning, reviewed.

Taylor Ullman, Protect Lake Travis Association, supports the ordinance, so does Jay Powell, Lake Austin Hill Country Association.

John Meinrath, representing Porter Davis, who owns 10 acres at Lohman's Crossing, and 620 asked for an exemption to build a small shopping center and grandfather the project. Councilmember Rose, after some discussion, said exemptions should be referred to staff and then come back to Council in a timely manner.

Ken Manning asked for more stringent standards for Lake Travis and Mary Arnold asked for a Lake Travis protected zone.

HEARING - (Continued)

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance extending the Lake Austin Subdivision Ordinance Regulations to the Lake Travis Watershed which is in Austin Extra-Territorial Jurisdiction and extending the Lake Austin Watershed Site Development Ordinance regulations to the Lake Travis Watershed. (7-0 Vote) PASSED ON EMERGENCY BASIS

PUBLIC HEARING - EXPIRATION OF PLANNED UNIT  
DEVELOPMENT ZONING

Mayor Mullen opened the public hearing set for 2:00 p.m. on Amendment to Chapter 13-2 (Zoning) of the Austin City Code regarding the expiration of Planned Unit Developments.

Mr. Lillie, Director of Planning, stated, "In 1983 the Law Department made an opinion regarding the expiration date of Special Permits as related to Planned Unit Development. The opinion concluded that the Special Permits for PUD's do expire as provided by the ordinance, notwithstanding the fact that Special Permits for PUD's are approved by ordinance as amendments to the Zoning Ordinance. This opinion was based on the Sherwood Lanes, Inc. vs the City of San Angelo and Mr. Nias submitted that opinion to us. Later Mr. Davis requested a clarification in that PUD's often cannot be built out in a two year period of time."

Mr. Rose interrupted to say he would have to leave the dais because the subdivision he lives in is one of the PUD's being discussed. Mr. Paul Isham, City Attorney, said he too would have to leave the dais for the same reason.

Mr. Lillie continued, "Mr. Davis of the Building Inspection Department, raised the question that should he be able to continue to issue Building Permits beyond the two year period. The conclusion of the Law Department was that the City Code prohibits the Building Official from issuing any further construction or occupancy permits once the two year life of the permit for a PUD is lapsed, unless the Special Permit is properly extended by the Planning Commission as provided by the Zoning Ordinance. If the life of the Special Permit has lapsed without being properly extended, a new Special Permit application is required for further construction or occupancy permits. Mr. Nias went on further to recommend that if an amendment to the ordinance was to be considered, we should properly process that amendment. You have on your agenda today a proposed amendment to the Zoning Ordinance that states the following: 'Notwithstanding anything else in this subdivision to the contrary a special permit for a Planned Unit Development shall expire only by amendment to the Zoning Ordinance.' Therefore it would not be an automatic expiration but only

## HEARING - (Continued)

an expiration if the zoning is changed and the PUD designation is removed by the Planning Commission and recommendation to Council for final action. We all know that PUD's are often not projects that can be started and completed in two years. In fact we have many that are even in their fifth, twelfth and fifteenth year. This ordinance amendment is moving in the right direction and it should not automatically expire. You had an item on your agenda two weeks ago where some developers of PUD's were desirous of getting building permits but could not be issued permits by the Building Inspector because of the legal memorandum. You authorized a 30 day extension for the authorization of building permits to take care of that specific problem. In the interim the Planning Commission has extended the life of all the PUD's for at least one year to make sure that no other developments have that particular problem. The Planning Commission is recommending that you not consider this amendment today. They are recommending that you allow these PUD's to extend for that period of time, that you allow the Planning Commission and the staff to develop a new PUD procedure and language to be put in place January 1 with the balance of the zoning ordinance. There are a number of issues here that are not just expiration date issues but are equity issues that I think we cannot take care of in a very simple public hearing."

Granger MacDonald, representing the MacDonald Company, said he has a small PUD, took the City's advice, and is in a bind now.

Paul Harris, representing the Austin Association of Builders, said he stands ready to help with the process suggested by the Planning Department.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, closed the public hearing and accepted the Planning Department recommendations. (6-0 Vote, Councilmember Rose abstained.)

**PUBLIC HEARING - COMPLIANCE WITH UNIFORM ATTENDANCE  
FOR HISTORI. LANDMARK COMMISSION MEMBERS**

Mayor Mullen opened the public hearing set for 2:30 p.m. on amending Chapter 13-2 (Zoning Ordinance) of the Austin City Code to require compliance with uniform attendance ordinance for Historic Landmark Commission members. No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Shipman's second, closed the public hearing, waived the requirement for three readings and finally passed an amendment to Chapter 13-2 (Zoning Ordinance) to require compliance with uniform attendance Ordinance No. 801016-E for Historic Landmark Commission members. (7-0 Vote)

## ALLEY VACATION

Mayor Mullen opened the public hearing set for 2:45 p.m. on vacation of Congress Avenue Alley, 100 block, and passage of ordinance as requested by Mr. Jerry L. Harris on behalf of the adjoining property owners.

Mr. Ridings, Director of Public Works, showed slides and said the vacation has been approved.

Mary Arnold, an interested citizen, said she likes alleys and regrets their loss. She said there is no indication what the alley area will be used for.

Jerry Harris, representing the applicant who plans a major project on this block. They consider the block to be significant in the City as the gateway to Congress Avenue. Therefore, they want to keep the southwest part of the block free from structures and design it into a plaza to access the buildings. To do that set back they need to build over the alley and have acquired adjoining property for a parking garage. The vacation has been recommended by all departments. After vacation of alley is approved they will proceed through the Historic Landmark Commission and the building height review process for the finalization of the project. The applicant has posted their certified check in the amount of over \$155,000.00 and based on that they respectfully request that the vacation of the alley be approved at this time.

Councilmember Duncan asked if staff has looked at the possibility of doing a license agreement on the alley instead of a straight out vacation. Mr. Ridings said they have and they have used license agreements on some occasions and that comes through the request of the adjacent property owner.

Mayor Mullen said the plans proposed will make a beautiful entrance to Congress Avenue and "I have a concern though that it is done that way and I want to be sure that somewhere along the line somebody doesn't sell the property and all at once that property is covered up so when you come back, at some point before the City finally lets go, I want it tied down that what you are proposing is going to be done. Not just that it is promised, because lots of things happen. People have to sell properties, they have to do different things and another developer or another person may end up with it and I don't want them to be covered up with a big square building there because one of the things that interests me in doing this is allowing that area to be opened up like you are talking about doing." Mr. Ridings said when they do come back for an easement release, it can be tied to a site plan approval. Mayor Mullen said, "At least to that area you are talking about where it's going to be, in my opinion, very beautiful."

## HEARING, ALLEY VACATION - (Continued)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Spaeth's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance vacating Congress Avenue Alley, 100 block. (7-0 Vote)

## MORATORIUM IN MOCKINGBIRD HILL AREA

Councilmembers had before them an ordinance to consider a moratorium on move-on's and new building in the Mockingbird Hill Area.

Dennis Barnes opposes the moratorium. He wants to use his lot with a septic tank. Billie Bradford also owns several lots in the area and finds no problem with septic tanks and opposes the moratorium. Ted Davis also opposes the moratorium.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance extending until April 5, 1984, a moratorium on move-on's and new building in the Mockingbird Hill Area. (7-0 Vote)

## CONTRACT APPROVED

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, adopted a resolution approving the following contract: (7-0 Vote)

HALLIBURTON INDUSTRIAL SERVICES  
525 McCampbell Road  
Corpus Christi, Texas

- Chemical cleaning of Holly No. 4 and Seaholm No. 9, Electric Department - \$49,117.60.

## ITEM TO BE BROUGHT BACK

The Council directed the following contract to be brought back for consideration on the March 22, 1983 agenda:

ARTHUR ANDERSON & COMPANY  
221 West 6th Street, Suite 2000  
Austin, Texas

- Consulting services for employee communication program of Flexible Benefits Plan, Personnel Department. Twelve (12) Month Contract Not to Exceed \$44,868.00

NORTHWEST TRAVIS COUNTY MUD #1

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, adopted a resolution approving the request for out-of-district service for the Northwest Travis County MUD #1. (7-0 Vote)

ITEM PULLED

Council was scheduled to take action on addition to Roadway Plan for the southwest portion of the City of Austin. Instead, they set a public hearing for March 15, 1984 at 5:00 p.m. and are scheduled to take action on March 22, 1984.

RECESS FOR WORK SESSION

Council recessed for a work session on water and wastewater.

ADJOURNMENT

Council adjourned its meeting at 7:02 p.m.